

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

HI JI,

LI MINJUN,

TU LAN,

ZHU FENG,

also known as “Johnny Zhu,”

KUANG ZEBIN,

also known as “Vincent Kuang,”

MICHAEL MCMAHON,

ZHAI YONGQIANG,

ZHENG CONGYING and

ZHU YONG,

also known as “Jason Zhu,

Defendants.

Case No. 1:21-cr-00265 (PKC) (S-1)

Filed electronically

PROPOSED VOIR DIRE OF DEFENDANT MICHAEL MCMAHON

In addition to any standard questions that the Court would ask, defendant Michael McMahon would respectfully request that the Court ask the following questions, if they are not otherwise included and follow up, if necessary, privately (*e.g.*, at side bar):

1. From what source do you generally get your news – what newspapers, television, radio, internet, etc.?

2. As I have told you and as Judge Chen will remind you at the end of the trial, although the defendants have been indicted, that indictment is only a charge, and they are presumed innocent unless the prosecutors bear their burden of proving each of them guilty beyond a reasonable doubt. Will you have any problems

applying these concepts? In particular, do you believe that because someone has been indicted, he must be guilty?

3. As you have heard, this case involves allegations that the defendants acted as agents of China. The defendants have denied that they had any idea that their actions were on behalf of China. Do you have strong feelings about the United States' relationship with China that would make it difficult for you to evaluate this defense fairly? What are those feelings? Specifically, do you have such negative feelings about China that you think that anyone who is involved with people in China must be guilty of something?

4. Michael McMahon is former New York City police officer, as certain potential witnesses in this case may be.

a. Have you had any experience with one or more New York City police officers, or with police officers in general that have been either particularly good or particularly bad? What are those experiences? How would they affect your ability to give Mr. McMahon a fair trial?

b. Do you have any strong opinions with regard to New York City police officers or police officers in general? What are those opinions? How would they affect your ability to give Mr. McMahon a fair trial?

5. Mr. McMahon is a private investigator. Do you have any opinions with regard to private investigators? What are those opinions? How would they affect your ability to give Mr. McMahon a fair trial?

a. Have you had any experience with private investigators, good or bad? What are those experiences? How would they affect your ability to give Mr. McMahon fair trial?

b. Do you have any opinions with regard to private investigators? What are those opinions? How would they affect your ability to give Mr. McMahon a fair trial?

6. This case involves allegations of traveling interstate to engage in stalking and harassment.

a. Do you have any experience with being either accused of stalking or harassment or being the victim of stalking or harassment? What is that experience and how would it affect your ability to give the defendants a fair trial?

b. Do you have any opinions with regard to stalking or harassment that would make it difficult to give the defendants a fair trial where that is what is alleged?

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With regard to witness lists, defendant McMahon does not now know whether he will be calling any witnesses at the trial of this matter, but agrees that the list of names and places provided by the Government likely includes any witnesses that he would call at trial if they are not called by the Government.

Respectfully submitted,

By: /s/ Lawrence S. Lustberg

Lawrence S. Lustberg, Esq.
Genna A. Conti, Esq.

*Attorneys for Defendant
Michael McMahon*

Date: May 1, 2023